

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

ELI LILLY AND COMPANY and
THE TRUSTEES OF PRINCETON
UNIVERSITY,

Plaintiffs,

v.

TEVA PARENTERAL MEDICINES, INC.,
APP PHARMACEUTICALS, LLC, and
BARR LABORATORIES, INC.

Defendants.

Civil Action No. 08-335-GMS
(consolidated with Civil Action Nos.
08-384-GMS, 08-860-GMS, and
09-272-GMS)

[PROPOSED] AMENDED FINAL JUDGMENT ORDER

The Court, having conducted a trial in the above-captioned matter and having issued its Memorandum and Order on July 28, 2011, and its Judgment on July 29, 2011 and pursuant to Fed. R. Civ. P. 59, hereby enters an amended judgment in the above-captioned matter as follows:

1. The drug product that is the subject of Teva Parenteral Medicines, Inc.'s ANDA No. 90-352 infringes claims 1, 2, 3, and 7 of the '932 patent.
2. The drug product that is the subject of Teva Parenteral Medicines, Inc.'s ANDA No. 90-674 infringes claims 1, 2, 3, and 7 of the '932 patent.
3. The drug product that is the subject of APP Pharmaceuticals, LLC's ANDA No. 90-384 infringes claims 1, 2, 3, and 7 of the '932 patent.
4. The drug product that is the subject of Barr Laboratories, Inc.'s ANDA No. 91-111 infringes claims 1, 2, 3, and 7 of the '932 patent.
5. Claims 1, 2, 3, and 7 of the '932 patent are not invalid.

6. Pursuant to 35 U.S.C. § 271(e)(4)(A), the effective date of any Food and Drug Administration approval of Teva Parenteral Medicines, Inc.'s ANDA No. 90-352 shall be not earlier than January 24, 2017, the expiration date of the '932 patent (including pediatric exclusivity).

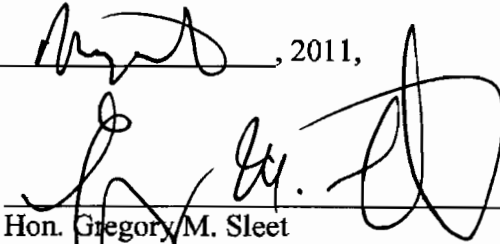
7. Pursuant to 35 U.S.C. § 271(e)(4)(A), the effective date of any Food and Drug Administration approval of Teva Parenteral Medicines, Inc.'s ANDA No. 90-674 shall be not earlier than January 24, 2017, the expiration date of the '932 patent (including pediatric exclusivity).

8. Pursuant to 35 U.S.C. § 271(e)(4)(A), the effective date of any Food and Drug Administration approval of APP Pharmaceuticals, LLC's ANDA No. 90-384 shall be not earlier than January 24, 2017, the expiration date of the '932 patent (including pediatric exclusivity).

9. Pursuant to 35 U.S.C. § 271(e)(4)(A), the effective date of any Food and Drug Administration approval of Barr Laboratories, Inc.'s ANDA No. 91-111 shall be not earlier than January 24, 2017, the expiration date of the '932 patent (including pediatric exclusivity).

10. Judgment is hereby entered in favor of Plaintiffs and against Defendants on Plaintiffs' claims of infringement of claims 1, 2, 3, and 7 of the '932 patent.

SO ORDERED this 22nd day of August, 2011,


Hon. Gregory M. Sleet
Chief United States District Judge